Published on *United States Bankruptcy Court* (http://www.canb.uscourts.gov)



# Chapter 8 - Case Opening - Bankruptcy

## Case Opening - Bankruptcy

Case Upload
If you are using Petition Preparation Software and it has created the appropriate files you may bypass Open BK and Creditor Upload and simply upload the information to ECF to file your case.

**Note: Case Upload will not open a Chapter 11.**

Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu.

1. Click **Case Upload** hyperlink.

2. Click **Browse**. verify and attach the Debtor Information (TXT file).

3. Click **Browse**, verify and attach the Petition (PDF file).

4. Click **Browse**, verify and attach the Creditor Matrix (TXT file).

5. Click **Browse**, verify and attach the Chapter 13 plan (PDF file).

6. Click **Browse**, verify and attach the Certificate of credit counseling (PDF file).

7. Click **Browse**, verify and attach the Statement of Social Security Number (PDF file).

8. Click **Next.**

**NOTE:** If you use **Case Upload** to open a skeleton petition, you cannot use **Case Uploa**d to file the balance of the schedules. You must file them separately under the **Miscellaneous** Category in ECF.

**Case Upload** cannot file to existing cases.

Chapter 13 Statement of Current Monthly and Disposable Income
Click the **Bankruptcy** hyperlink on the CM/EC Main Menu.

Click **Miscellaneous** hyperlink.
Enter **Case Number**, click **Next.**
Select **Chapter 13 Statement of Current Monthly and Disposable Income**, click **Next**.
Select the Debtor, click **Next.**

**Note:** If this is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next.**
Associate the pdf file of the **Chapter 13 Statement of Current Monthly and Disposable Income**, click **Next**.
Edit the docket text if necessary.
Review final docket text.
Click **Next.**

Chapter 7 Means Test
Click the **Bankruptcy** hyperlink on the CM/EC Main Menu.

Click **Miscellaneous** hyperlink.
Enter **Case Number**, click **Next.**
Select **Chapter 7** **Means Test**, click **Next**.
Select the Debtor, click **Next.**
Associate the pdf file of the **Chapter 7 Means Test,** click **Next**.
Under Presumption Arises, select either **Yes** or **No**.
Enter Current Monthly Income of Individual Debtor(s) from Line 12:
Click **Next.**
Edit the docket text if necessary.
Review final docket text.
Click **Next.**

Involuntary Case Opening
Click on the **Bankruptcy** hyperlink on the CM/ECF Main Menu Bar.

The **BANKRUPTCY EVENTS** screen displays.

Click **Open an Involuntary Case** hyperlink.

Select Chapter type.
Click **Next.**
Search for a debtor, if not found add/create new party.
Click **Submit.**
Search for a petitioning creditor, if not found add/create new party.
Click **Submit.**
**Check the box** next to the user opening the case is the filing attorney for this party.
Click **Submit.**
Search for additional petitioning creditors, if none click **End petitioning creditor selection.**
System will display the Divisional Office assignment.
Click **Next.**
System will display STATISTICAL DATA click appropriate boxes.

Click **Next.**
Select **Nature of debt.**
Click **Next.**
Select browse to associate the pdf.
Click **Next.**
Click **Next.**
Review final docket text.
Click **Next.**

Judge/Trustee Assignment
The Judge/Trustee Assignment program needs to be run after the case is open. The process of randomly assigning the judge and trustee is described below.

1. After accessing the CM/ECF system, click on the **Bankruptcy** hypertext link on the CM blue main menu bar.

2. The Bankruptcy events screen displays.

3. Click the Judge/Trustee Assignment hyperlink.

**NOTE:** This may take a few minutes. The system will display the judge and trustee assigned to the case(s).

Open a Chapter 7 Bankruptcy Case
**1**. Click on the **Bankruptcy** hyperlink on the CM/ECF Main Menu Bar.

**2**. Click **Open BK Case**

**3**. Select the appropriate information for the following fields:

**Chapter**
**Joint Petition** - The default value for Joint is **n**: for a Joint filing select **y**.
**Deficiencies** - If there are any missing items from the petition change the deficiencies box from **n** to **y**.

Click **[Next]**

**4**. Search for a **Debtor** Screen

Enter social security number, tax identification number/employer identification number, last name or business name to search for the debtor name in the CM/ECF database.

If there are no matches, the system will return a No person  found message.
Click **Create new party.**

**5**. The **Debtor Information** screen displays.

Enter the debtor's **Name** and **Address** information in the appropriate boxes.
Select the **County** from the pull down menu.

**NOTE**: Country, Phone, Fax and E-mail is *not* required.

**Party text** Additional information about the debtor that cannot fit in the last name field ***i.e. M.D., D.D.S.,  A California Corporation, Limited Liability Partnership***
If the party has an alias, click the **[Alias]** button.

**6**. The **Alias** screen appears.

One can enter up to 5 alias records.  Alias Role selections include aka, dba, fdba, fka.
Click **[Add alias].** If more than 5 aliases complete the 5th one and click **[Add aliases]** to continue adding additional aliases.

**7**. The **Debtor Information** screen reappears.

If the party has a corporate parent, click the **[Corporate Parent/affiliate..]** button.

**8**. Enter the **Corporate Parent Name**.

If there are no matches, the system will return a No Match  found.
Since the party is not already in the database, proceed to add the corporate parent.  Click **[Create new corporate parent].**
Enter the corporate parent's name.
Click the **[Add Corporate Parent]** button

**9**. The **Debtor Information** screen reappears.

Clicking on the [**Review**] button presents a screen summarizing the attorney, corporate parent and alias activity for this debtor.
Verify the information.
Note there will be no attorney added until the end of the case opening process.
Click **[Return to Party Screen**].

**10**. The **Party Information** screen will return again.  If you are finished adding information for this new party, click **[Submit]** to continue with Case Opening.

**11**. Next, the system will display a screen confirming the assignment of the Divisional Office.  The assignment is based on the county and zip code of the debtor.

Click **[Next].**

**NOTE:** If this is a joint debtor filing, a **JOINT DEBTOR PARTY** search screen appears next.

Use the same procedures for searching for the joint debtor.

**NOTE:** A check mark is placed in the box to indicate the debtor's address will be copied to the

joint debtor.  This is a system default.  If the address of the joint debtor is not the same

remove the check mark and enter a different address for the joint debtor.

**12**.  The **Statistical Data** screen appears next.

Prior filing within last 8 years.  Indicate **yes** or **no** from the pick list.
**Fee Status** values are Paid, Installment, and IFP filing fee waived.

If the petition is accompanied by an Application to Pay Filing Fees in

Installments, choose **Installment** from the pick list box.

If the petition is accompanied by an Application for Waiver of the

Chapter 7 Filing Fee, choose **IFP** from the pick list.

Designate the **Nature of Debt** as Consumer or Business.
Choose **Y** (yes) or **N** (no) for Asset notice designation.

**NOTE:** **Chapter 11** and **Chapter 13** cases are always asset cases.

Select the range of **Estimated Creditors** from the pick list.
Select the correct dollar range for **Estimated Assets.**
Select the correct dollar range for **Estimated Liabilities.**
Select the **Type of Debtor** by clicking the appropriate radio button.
Select the **Nature of Business** by clicking the appropriate radio button.

**NOTE**: Tax-Exempt Entity can be selected in conjunction with any type of business.

**13**. The **SUMMARY OF SCHEDULES** screen appears.

Report the totals from Schedules A,B,D,E,F,I,J, Form B122, and Non-dischargeable Debt in the boxes provided.
Click **[Next].**

**14**. The **United States Trustee** **Statistical Data** screen appears.

Report the information from **Schedules** and **Form B122**.

When the information is not available at case opening, please use the event "**Update EOUST Stats**" located in the "***Miscellaneous***" category to enter the required information after the case has been opened.

**15**. The **SELECT A PDF DOCUMENT** screen appears.

Click **[Browse],** then navigate to the directory where the appropriate PDF file is located. Highlight the file. Then right click with your mouse and select **open** to verify the contents of the document. If correct, double-click the pdf file to select it.
There will be no attachments to this petition.
Click **[Next**].

**16.** The **INCOMPLETE FILINGS**, **Section 521 INCOMPLETE FILINGS** and **MEETING OF CREDITORS** screen is presented showing the due dates for the missing documents.

The court will monitor these deadlines for compliance.
The deadline for missing documents is calculated and displays. This will print on the final docket text and as a schedule for queries and reports.
Click **[Next].**

**17.** The **PRESUMPTION ARISES** screen will appear next. Highlight the appropriate selection and click **[Next].**

**18.** The **FILING FEE** screen will appear next displaying the fee amount. Click **[Next]**.

**19.** Click **[Next]**.

**20.** The **FINAL TEXT EDITING** screen displays.

**Verify the accuracy of the docket text.** This is what will print on the docket sheet.
If the docket text is incorrect, click the browser **[Back]** button at the top of the screen one or more times to find the error.
To abort or restart the transaction, click on the Bankruptcy Events hyperlink on the CM/ECF Main Menu Bar. Although this can be done at any time, this is your last opportunity to change the event.
If the docket text is correct, click **[Next].**

**21**. **Summary of Charges** is presented.

The summary of current charges is presented for you to enter payment now or continue filing.

If paying now, click **[Pay Now]** or **[Continue Filing]** to pay later.

**DO NOT USE "X" TO CLOSE THE PAYMENT WINDOW**

A request to enter credit card information is displayed.
Use the drop down arrow to select card type.
Enter the card number.
Enter the Security Code. (The verification number is a 3-digit number printed on the back of your card. It appears after and to the right of your card number. For American Express it is a 4-digit number on the front of your card.
Enter the Expiration Date: Use the drop down arrow to select the month and year.
Click **[Continue with Plastic Card Payment]**.
Authorize payment by placing a check mark in the authorization box.
To have a confirmation e-mail sent to you from the U.S. Treasury Department upon completion of this transaction, provide an e-mail address and re-enter it for a confirmation.
A confirmation of your transaction receipt will display.

**NOTE: If fees are not paid by 11:59pm on the date you are filing, you will be locked out of the ECF system until the fees are paid.**

**22.** The **NOTICE OF ELECTRONIC FILING** screen displays.

Make a note of the case number.
The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that the petition is now the official court record.

**NOTE: It is recommended to save and/or print this screen for future reference.**

This page is also available for viewing by accessing the docket report from either the Query or Reports Main Menu Bar selection. Refer to **Reports** for additional instructions.

Click on the case number hyperlink identified in blue. The Notice of Electronic Filing will present the docket report for this case.
Click on the document number hyperlink. It will present the PDF image of the image of the petition just filed.
The Notice of Bankruptcy Case Filing hyperlink appears at the top of the Notice of Electronic Filing. Click on this hyperlink to reveal a notice summarizing the pertinent details and participants of this case.
The **NOTICE OF BANKRUPTCY CASE FILING** screen appears.
This certification was created in addition to the initial notice of filing. It also displays the debtor (s), attorney, case number, time filed date of the case opening information. It can be used to notice creditors as an official notice of stay besides the 341 Meeting Notice to stop foreclosures and other creditor actions. It may be saved or printed at the time of filing.
The Notice of Bankruptcy Case Filing is also available for viewing or printing through the Query Main Menu Bar selection. This option is available for public inquiry as well as court users.
To print a copy of this notice, click the browser **[Print]** icon.
To save a copy of this receipt, click [**File**] on the browser menu bar and select **Save Frame As.**

Uploading a Creditor Matrix

A creditor matrix contains the names and addresses of creditors. This information is used for noticing and also for claims information, when applicable. The creditor matrix must be in an ASCII text format, usually a **.txt** file, before it can be successfully uploaded. Refer to the procedure, Converting a Creditor's Matrix to a .txt File. All **other** file types within CM/ECF will be portable document format (PDF) files.

**NOTE: Be sure to process the matrix through the Creditor Matrix Review Program first.**

**1.** After accessing the CM/ECF system, click on the **Bankruptcy** hypertext link on the CM blue main menu bar.

**2.** The **BANKRUPTCY EVENTS** screen displays.

**3.** Click on the **Creditor Maintenance** hyperlink.

**4.** The Creditor Maintenance screen displays.

**5.** Click on **Upload a creditor matrix text file** hyperlink.

**6.** The **UPLOAD A FILE** screen displays.

**7.** Enter the case number in **yy-nnnnn** format, including the hyphen.

**NOTE:** If the system prompts that you have entered an invalid case number, click the browser's **[Back]** button and enter the correct number.

**8.** Click **[Next].**

**9.** The **LOAD CREDITOR INFORMATION** screen displays.

**10.** Use the browse feature to navigate to the appropriate directory and file of the creditor matrix file. To do this:

Click on the **[Browse]** button to display the **FILE UPLOAD** screen.
Click in the **Look In** box and select the appropriate drive name.
Change **Files of types**: to Text (.*txt) or All Files.
For quality assurance, right-click and select Open from the pick-list that is displayed
Verify that this is the correct matrix file for this case. Close or minimize the text file by clicking on "**X**" in the upper right-hand corner.
If correct, double-click the file to select it or click on the **[Open]** button to attach the matrix file to the bankruptcy case.
Click **[Next].**

**11.** The **TOTAL CREDITORS ENTERED** screen displays.

If the total number of creditors entered is not the same as the total number of creditors on the submitted matrix, click the browser's [Back] button and research the error.
If the total number of creditors displayed is correct, click **[Submit]**.

**12**. The CREDITOR RECEIPT screen displays.

The information displayed confirms the number of creditors added to the case.

**13.** Click on the Return to Creditor Maintenance Menu hyperlink to continue and repeat steps 7- 10 for each creditor matrix. If there are no other matrices to add, select **Logout** or select another option on the Main Menu Bar.

**NOTE:** The maximum amount of creditors per file is 4,000.

---